

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

MOTORS LIQUIDATION COMPANY, et al.,
f/k/a General Motors Corp., et al.,

Debtors.

Chapter 11

Case No. 09-50026 (MG)

(Jointly Administered)

**DECLARATION OF KYLE J. KIMPLER IN SUPPORT OF OBJECTION OF
GENERAL MOTORS LLC TO THE PROPOSED SETTLEMENT AMONG THE
MOTORS LIQUIDATION GUC TRUST AND THE SIGNATORY ECONOMIC LOSS
AND PERSONAL INJURY PLAINTIFFS**

I, Kyle J. Kimpler, an attorney admitted to practice before this Court, hereby affirm under penalty of perjury as follows:

1. I am a partner in the firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP and counsel for General Motors LLC (“New GM” or “GM LLC”) in the above-captioned matter.

2. I make this Declaration in support of New GM’s *Objection to the Proposed Settlement Among the Motors Liquidation GUC Trust and the Signatory Economic Loss and Personal Injury Plaintiffs*, filed contemporaneously herewith.

3. Attached hereto are true and correct copies of certain materials obtained in connection with the MDL Action. As further explained in New GM’s *Motion Pursuant to § 107(b) and Fed. R. Bankr. 9018 for an Order Authorizing Filing Under Seal Certain Exhibits to its Objection to the Proposed Settlement Among the Motors Liquidation GUC Trust and the Signatory Economic Loss and Personal Injury Plaintiffs* (the “Seal Motion”), the materials are submitted in redacted form in accordance with the MDL Protective Order.

4. Attached hereto as Exhibit 1 is a true and correct excerpted copy of the transcript of the February 27, 2017 deposition of named claimant Patricia Barker, in the MDL Action.

5. Attached hereto as Exhibit 2 is a true and correct excerpted copy of the Plaintiff Fact Sheet produced by named claimant Patricia Barker, in the MDL Action.

6. Attached hereto as Exhibit 3 is a true and correct excerpted copy of the transcript of the February 28, 2017 deposition of named claimant Sylvia Benton, in the MDL Action.

7. Attached hereto as Exhibit 4 is a true and correct excerpted copy of the transcript of the February 28, 2017 deposition of named claimant Michael Benton, in the MDL Action.

8. Attached hereto as Exhibit 5 is a true and correct excerpted copy of the Plaintiff Fact Sheet produced by named claimant Michael Benton, in the MDL Action.

9. Attached hereto as Exhibit 6 is a true and correct excerpted copy of the transcript of the March 2, 2017 deposition of named claimant Crystal Hardin, in the MDL Action.

10. Attached hereto as Exhibit 7 is a true and correct excerpted copy of the Plaintiff Fact Sheet produced by named claimant Crystal Hardin, in the MDL Action.

11. Attached hereto as Exhibit 8 is a true and correct excerpted copy of the transcript of the March 3, 2017 deposition of named claimant Esperanza Ramirez, in the MDL Action.

12. Attached hereto as Exhibit 9 is a true and correct excerpted copy of the Plaintiff Fact Sheet produced by named claimant Esperanza Ramirez, in the MDL Action.

13. Attached hereto as Exhibit 10 is a true and correct excerpted copy of the transcript of the May 9, 2017 deposition of named claimant Kenneth Robinson, in the MDL Action.

14. Attached hereto as Exhibit 11 is a true and correct excerpted copy of the Plaintiff Fact Sheet produced by named claimant Kenneth Robinson, in the MDL Action.

15. Attached hereto as Exhibit 12 is a true and correct excerpted copy of the transcript of the May 31, 2017 deposition of named claimant Patrice Witherspoon, in the MDL Action.

16. Attached hereto as Exhibit 13 is a true and correct excerpted copy of the Plaintiff Fact Sheet produced by named claimant Patrice Witherspoon, in the MDL Action.

17. Attached hereto as Exhibit 14 is a true and correct copy of the February 23, 2018 report entitled *Expert Report of Professor Daniel McFadden*, in the MDL Action.

18. Attached hereto as Exhibit 15 is a true and correct copy of the August 13, 2018 report entitled *Sur-Rebuttal Report of Professor Daniel McFadden Addressing Errata Rebuttal Report of Mr. Stefan Boedeker*, in the MDL Action.

19. Attached hereto as Exhibit 16 is a true and correct copy of the February 23, 2018 report entitled *Expert Report of Shari Seidman Diamond*, in the MDL Action.

20. Attached hereto as Exhibit 17 is a true and correct copy of the August 13, 2018 Errata to the February 23, 2018 report entitled *Expert Report of Shari Seidman Diamond*, in the MDL Action.

21. Attached hereto as Exhibit 18 is a true and correct copy of the August 13, 2018 report entitled *Sur-Rebuttal Expert Report of Shari Seidman Diamond*, in the MDL Action.

22. Attached hereto as Exhibit 19 is a true and correct copy of the February 23, 2018 report entitled *Expert Report of Peter E. Rossi*, in the MDL Action.

23. Attached hereto as Exhibit 20 is a true and correct copy of the August 13, 2018 report entitled *Expert Report of Peter E. Rossi: Sur-Rebuttal to Errata Rebuttal Report of Mr. S. Boedeker*, in the MDL Action.

24. Attached hereto as Exhibit 21 is a true and correct copy of the February 23, 2018 report entitled *Expert Report of John A. List*, in the MDL Action.

25. Attached hereto as Exhibit 22 is a true and correct copy of the August 13, 2018 report entitled *Sur-Rebuttal Report of John A. List*, in the MDL Action.

26. Attached hereto as Exhibit 23 is a true and correct copy of the February 23, 2018, report entitled *Expert Report of M. Laurentius Marais, Ph.D.*, in the MDL Action.

27. Attached hereto as Exhibit 24 is a true and correct copy of the April 18, 2018, report entitled *Supplemental Expert Report of M. Laurentius Marais, Ph.D.*, in the MDL Action.

28. Attached hereto as Exhibit 25 is a true and correct copy of the August 14, 2018, report entitled *Sur-rebuttal Declaration of M. Laurentius Marais, Ph.D.*, in the MDL Action.

29. Attached hereto as Exhibit 26 is a true and correct copy of the February 23, 2018, report entitled *Expert Report of Joseph Fedullo*, in the MDL Action.

30. Attached hereto as Exhibit 27 is a true and correct copy of the August 30, 2014, Virginia Tech Transportation Institute report entitled *Technical Assessment of Ignition Switch Test Methods, Procedures and Analysis Techniques*, in the MDL Action.

31. Attached hereto as Exhibit 28 is a true and correct excerpted copy of the transcript of the June 22, 2017 deposition of named claimant Susan Viens, in the MDL Action.

32. Attached hereto as Exhibit 29 is a true and correct excerpted copy of the transcript of the March 27, 2017 deposition of named claimant Shenyesa Henry, in the MDL Action.

33. Attached hereto as Exhibit 30 is a true and correct excerpted copy of the transcript of the May 29, 2017 deposition of named claimant Melody Lombardo, in the MDL Action.

34. Attached hereto as Exhibit 31 is a true and correct excerpted copy of the transcript of the April 11, 2017 deposition of named claimant Robert Wyman, in the MDL Action.

35. Attached hereto as Exhibit 32 is a true and correct excerpted copy of the transcript of the March 21, 2017 deposition of named claimant Melinda Stafford, in the MDL Action.

36. Attached hereto as Exhibit 33 is a true and correct excerpted copy of the transcript of the June 21, 2017 deposition of named claimant Lisa Simmons, in the MDL Action.

37. Attached hereto as Exhibit 34 is a true and correct excerpted copy from MDL Named Plaintiff Deposition Testimony attached as Exhibit F to *New GM's Amended Memorandum in Opposition to Economic Loss Plaintiffs' Motion to Certify Bellwether Classes in the States of California, Missouri, and Texas* [MDL Docket No. 6132].

38. Attached hereto as Exhibit 35 is a true and correct excerpted copy of a transcript of the panel discussion at the Class Action and Litigation Update at the 23rd Annual Consumer Financial Services Institute, hosted by the Practicing Law Institute on June 27, 2018.

39. Attached hereto as Exhibit 36 is a true and correct copy of the the February 23, 2018, report entitled *Expert Report of Robert D. Willig*, in the MDL action.

40. Attached hereto as Exhibit 37 is a true and correct copy of the the March 19, 2018, report entitled *Errata to the Expert Report of Robert D. Willig*, in the MDL action.

41. Attached hereto as Exhibit 38 is a true and correct copy of the the May 7, 2018, report entitled *Appendix B - Technical Appendix Tables 9-14, Robert D. Willig*, in the MDL action.

42. Attached hereto as Exhibit 39 is a true and correct copy of the the August 13, 2018, report entitled *Expert Sur-Rebuttal Report of Robert D. Willig*, in the MDL action.

43. Attached hereto as Exhibit 40 is a true and correct copy of the February 23, 2018 report entitled *Expert Report of Professor Bradford Cornell*, in the MDL Action.

44. Attached hereto as Exhibit 41 is a true and correct copy of the August 13, 2018 report entitled *Sur-Rebuttal Report of Professor Bradford Cornell*, in the MDL Action.

45. Attached hereto as Exhibit 42 is a true and correct copy of the February 23, 2018 report entitled *Expert Report of Dominique Hanssens*, in the MDL Action.

46. Attached hereto as Exhibit 43 is a true and correct copy of the August 13, 2018 report entitled *Sur-Rebuttal Report of Dominique Hanssens*, in the MDL Action.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: March 4, 2019
New York, New York

/s/ Kyle J. Kimpler

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